

**VIA ECF**

The Honorable Arun Subramanian  
United States District Court, Southern District of New York  
500 Pearl St., Courtroom 15A  
New York, NY 10007-1312

**Re: *United States et al. v. Live Nation Entertainment, Inc. et al.*, 1:24-cv-03973-AS-SLC**

Dear Judge Subramanian:

Defendants Live Nation Entertainment, Inc. and Ticketmaster L.L.C. (collectively, “Defendants”), submit this letter pursuant to the Court’s instructions during the May 9, 2025 discovery conference.

Consistent with the Court’s direction at the May 9, 2025 discovery conference, Defendants hereby advise the Court that they have agreed to not use in support of summary judgment any affirmation or affidavit of any person or entity “newly disclosed” in Defendants’ April 25, 2025 supplemental initial disclosures, meaning a person or entity that was not already (1) one of Defendants’ document custodians, (2) listed in Defendants’ July 1, 2024 initial disclosures, (3) listed in Plaintiffs’ July 1, 2024 or April 25, 2025 disclosures or (4) received a document or deposition subpoena in this action. In light of that agreement, Defendants understand that the 300-hour limit on deposition testimony remains in effect for both Plaintiffs and Defendants.

*[signatures on following page]*

Dated: May 16, 2025

Respectfully submitted,

LATHAM & WATKINS LLP



Alfred C. Pfeiffer (admitted *pro hac vice*)

*Co-Lead Trial Counsel*

Timothy L. O'Mara (admitted *pro hac vice*)

Jennifer L. Giordano

Andrew M. Gass (admitted *pro hac vice*)

Kelly S. Fayne (admitted *pro hac vice*)

Lindsey S. Champlin (admitted *pro hac vice*)

Robin L. Gushman (admitted *pro hac vice*)

505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
(415) 391-0600

555 11<sup>th</sup> Street, NW, Suite 1000  
Washington, D.C. 20004  
(202) 637-2200

Al.Pfeiffer@lw.com  
Tim.O'Mara@lw.com  
Jennifer.Giordano@lw.com  
Andrew.Gass@lw.com  
Kelly.Fayne@lw.com  
Lindsey.Champlin@lw.com  
Robin.Gushman@lw.com

*Attorneys for Defendants Live Nation  
Entertainment, Inc. and Ticketmaster L.L.C.*

CRAVATH, SWAINE & MOORE LLP



David R. Marriott

*Co-Lead Trial Counsel*

Lauren A. Moskowitz

Jesse M. Weiss

Nicole M. Peles

Two Manhattan West  
375 Ninth Avenue  
New York, NY 10001  
(212) 474-1000

dmarriott@cravath.com  
lmoskowitz@cravath.com  
jweiss@cravath.com  
npeles@cravath.com

*Attorneys for Defendants Live Nation  
Entertainment, Inc. and Ticketmaster L.L.C.*

cc: All Counsel of Record (via ECF)